


NPDES FORM 3510-6		UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460 NOTICE OF INTENT (NOI) FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY UNDER THE NPDES MULTI-SECTOR GENERAL PERMIT	FORM Approved OMB No. 2040-0300
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Permit Information

Master Permit Number:

NHR050000

NPDES ID:

NHR053159

Eligibility Information

State/territory where your facility is discharging:

NH

Does your facility discharge to federally recognized Indian Country lands?

No

Are you a "Federal Operator" as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)?

No

Which type of form would you like to submit?

Notice of Intent (NOI)

By indicating "Yes" below, I confirm that I understand that the MSGP only authorizes the stormwater discharges in Part 1.1.2 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the allowable stormwater and non-stormwater discharges listed in Parts 1.2.1. and 1.2.2. will be discharged, they must be covered under another NPDES permit.

Yes

Are you a new discharger or a new source as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)?

No

Have stormwater discharges from your facility been covered previously under an NPDES permit?

Yes

If yes, provide your most current NPDES ID (i.e., permit tracking number) if you had coverage under EPA's MSGP or the NPDES permit number if you had coverage under an EPA individual permit:

NH0000116

Are you discharging to any waters of the U.S. that are designated by the state or tribal authority under its antidegradation policy as a Tier 3 water (Outstanding National Resource water)? (See Appendix L (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_l_-_list_of_tier_3_tier_2_and_tier_2.5_waters.pdf))

No

What is the legal name of the Operator as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)?

NYLON CORP OF AMERICA

What is the name of your facility or activity as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)?

NYLON CORPORATION OF AMERICA

Operator Information

Operator Information

Operator Name:

NYLON CORP OF AMERICA

Operator Mailing Address

Address Line 1:

333 Sundial Avenue

Address Line 2:

City:

Manchester

ZIP/Postal Code:

03103

State:

NH

County or Similar Division:

Hillsborough

Operator Point of Contact Information

First Name Middle Initial Last Name:

Sabre Strout

Title:

EHS Manager

Phone:

603-627-5150

Ext.:

318

Email:

sstrout@nycoa.com

NOI Preparer Information

☒ This NOI is being prepared by someone other than the certifier.

First Name Middle Initial Last Name:

Sabre Strout

Organization:

Nylon Corporation of America

Phone:

603-627-5150

Ext.:

318

Email:

sstrout@nycoa.com

Facility Information

Facility Information

Facility Name:

NYLON CORPORATION OF AMERICA

Facility Address

Address Line 1: 333 SUNDIAL AVENUE

Address Line 2:

City: MANCHESTER

ZIP/Postal Code: 03103

State: NH

County or Similar Division: Hillsborough

Latitude/Longitude for the Facility

Latitude/Longitude: 42.972757°N, 71.471345°W

Latitude/Longitude Data Source: Map

Horizontal Reference Datum: WGS 84

General Facility Information

What is the ownership type of the facility? Corporation

Estimated area of industrial activity at your facility exposed to stormwater (rounded to the nearest quarter acre): 7

Is your facility presently inactive and unstaffed? No

Exception for Inactive and Unstaffed Facilities: The requirement for indicator monitoring, impaired waters monitoring, and/or benchmark monitoring does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater.

If circumstances change during the permit term that affect your qualifications for this exception to monitoring requirements (i.e. industrial materials or activities exposure to stormwater or your facility's active/inactive and staffed/unstaffed status) you must submit a NOI notifying EPA of the change in circumstances.

Sector-Specific Information

Primary Sector: C

Primary Subsector: C4

Primary SIC Code: 2821

Discharge Information

By indicating "Yes" below, I confirm that I understand that the MSGP only authorizes the stormwater discharges in Part 1.2.1 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the authorized stormwater and non-stormwater discharges listed in Parts 1.2.1 and 1.2.2 will be discharged, they must be covered under another NPDES permit.

Yes

Other Discharge Information

Does your facility discharge into a Municipal Separate Sewer System (MS4)? No

Receiving Waters Information

List all of the stormwater discharge points from your facility.

Discharge Point 002:

Applicable Sectors

Select the Sectors/Subsector(s) that apply to this discharge point.

	Sector	Subsector	SIC/Activity Code
<input checked="" type="checkbox"/>	C - CHEMICALS AND ALLIED PRODUCTS	C4 - Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass	2821

Federal Effluent Limitation Guidelines:

Identify the Effluent Limitation Guideline(s) that apply to your stormwater discharges.

40 CFR Part/Subpart	Eligible Discharges	Affected MSGP Sector	New Source Date	Applicability
Part 418, Subpart A	Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	C	04/08/1974	Does your discharge point have any discharges subject to this effluent limitation guideline? No

Are you requesting permit coverage for any stormwater discharges subject to effluent limitation guidelines? No

Latitude/Longitude: 42.9719°N, 71.4724°W

☐ This discharge point is *Substantially Identical* to an existing discharge point.

Receiving Water

GNIS Name:
Merrimack River

Waterbody Name:
MERRIMACK RIVER

Listed Water ID:
NHRIV700060803-14-02

Is this receiving water saltwater or freshwater? Freshwater

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)?

No

Will you have stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit? Yes

Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? Yes

➔ What is the hardness of your receiving water(s)? 12.5
(mg/L)

Impaired Waters Monitoring

NOTE: The information automatically populated in this section may be outdated and inaccurate (i.e. determining if the receiving water is listed as impaired on the 303(d) list, the cause(s) of the impairment if impaired, the pollutant(s)). It is recommended that you consult with your state's guidance for discharges into impaired waters to determine whether the receiving water is listed as impaired and, if so, the correct causes for the impairment and pollutant(s), and update the information accordingly.

New Hampshire Impaired Waters (IW) information and required monitoring parameters available at:

<https://www.des.nh.gov/water/rivers-and-lakes/water-quality-assessment/swqa-publications#faq38801> (<https://www.des.nh.gov/water/rivers-and-lakes/water-quality-assessment/swqa-publications#faq38801>)

<https://www3.epa.gov/region1/npdes/stormwater/assets/pdfs/msgp-2021-part-425-parameters-nh.pdf> (<https://www3.epa.gov/region1/npdes/stormwater/assets/pdfs/msgp-2021-part-425-parameters-nh.pdf>)

Where the New Hampshire monitoring guidance identifies one or more monitoring parameters that are different than the identified pollutant causing the impairment, indicate the monitoring parameter(s) as the pollutant(s) causing the impairment in the table below (select Yes for "Is the receiving water listed as impaired on the 303(d) list?" to display the pollutant table).

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? Yes

Cause of Impairment Group	Pollutant
METALS (OTHER THAN MERCURY)	Aluminum, total [as Al]
ORGANIC ENRICHMENT/OXYGEN DEPLETION	Oxygen, dissolved percent saturation
PATHOGENS	E. coli
PH/ACIDITY/CAUSTIC CONDITIONS	pH

Has a TMDL been completed for this receiving waterbody? Yes

TMDL ID	Cause of Impairment Group	Pollutant
33883	MERCURY	Mercury, total [as Hg]
39274	PATHOGENS	E. coli

Discharge Point 003:

Applicable Sectors

Select the Sectors/Subsector(s) that apply to this discharge point.

	Sector	Subsector	SIC/Activity Code
<input checked="" type="checkbox"/>	C - CHEMICALS AND ALLIED PRODUCTS	C4 - Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass	2821

Federal Effluent Limitation Guidelines:

Identify the Effluent Limitation Guideline(s) that apply to your stormwater discharges.

40 CFR Part/Subpart	Eligible Discharges	Affected MSGP Sector	New Source Date	Applicability
Part 418, Subpart A	Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	C	04/08/1974	Does your discharge point have any discharges subject to this effluent limitation guideline? <u>No</u>

Are you requesting permit coverage for any stormwater discharges subject to effluent limitation guidelines? No

Latitude/Longitude: 42.9723°N, 71.4723°W

☐ This discharge point is *Substantially Identical* to an existing discharge point.

Receiving Water

GNIS Name:
Merrimack River

Waterbody Name:
MERRIMACK RIVER

Listed Water ID:
NHRIV700060803-14-02

Is this receiving water saltwater or freshwater? Freshwater

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)?

No

Will you have stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit? No

Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? Yes

➤ What is the hardness of your receiving water(s)? 12.5 (mg/L)

Impaired Waters Monitoring

NOTE: The information automatically populated in this section may be outdated and inaccurate (i.e. determining if the receiving water is listed as impaired on the 303(d) list, the cause(s) of the impairment if impaired, the pollutant(s)). It is recommended that you consult with your state's guidance for discharges into impaired waters to determine whether the receiving water is listed as impaired and, if so, the correct causes for the impairment and pollutant(s), and update the information accordingly.

New Hampshire Impaired Waters (IW) information and required monitoring parameters available at:

https://www.des.nh.gov/water/rivers-and-lakes/water-quality-assessment/swqa-publications#faq38801 (https://www.des.nh.gov/water/rivers-and-lakes/water-quality-assessment/swqa-publications#faq38801)

https://www3.epa.gov/region1/npdes/stormwater/assets/pdfs/msgp-2021-part-425-parameters-nh.pdf (https://www3.epa.gov/region1/npdes/stormwater/assets/pdfs/msgp-2021-part-425-parameters-nh.pdf)

Where the New Hampshire monitoring guidance identifies one or more monitoring parameters that are different than the identified pollutant causing the impairment, indicate the monitoring parameter(s) as the pollutant(s) causing the impairment in the table below (select Yes for "Is the receiving water listed as impaired on the 303(d) list?" to display the pollutant table).

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? Yes

Cause of Impairment Group	Pollutant
METALS (OTHER THAN MERCURY)	Aluminum, total [as Al]
ORGANIC ENRICHMENT/OXYGEN DEPLETION	Oxygen, dissolved percent saturation
PATHOGENS	E. coli
PH/ACIDITY/CAUSTIC CONDITIONS	pH

Has a TMDL been completed for this receiving waterbody? Yes

TMDL ID	Cause of Impairment Group	Pollutant
33883	MERCURY	Mercury, total [as Hg]
39274	PATHOGENS	E. coli

Discharge Point 004:

Applicable Sectors

Select the Sectors/Subsector(s) that apply to this discharge point.

	Sector	Subsector	SIC/Activity Code
<input checked="" type="checkbox"/>	C - CHEMICALS AND ALLIED PRODUCTS	C4 - Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass	2821

Federal Effluent Limitation Guidelines:

Identify the Effluent Limitation Guideline(s) that apply to your stormwater discharges.

40 CFR Part/Subpart	Eligible Discharges	Affected MSGP Sector	New Source Date	Applicability
Part 418, Subpart A	Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	C	04/08/1974	Does your discharge point have any discharges subject to this effluent limitation guideline? No

Are you requesting permit coverage for any stormwater discharges subject to effluent limitation guidelines? No

Latitude/Longitude: 42.9729°N, 71.472°W

☐ This discharge point is *Substantially Identical* to an existing discharge point.

Receiving Water

GNIS Name: Merrimack River

Waterbody Name: MERRIMACK RIVER

Listed Water ID: NHRIV700060803-14-02

Is this receiving water saltwater or freshwater? Freshwater

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)?

No

Will you have stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit? No

Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? Yes

What is the hardness of your receiving water(s)? 12.5 (mg/L)

Impaired Waters Monitoring

NOTE: The information automatically populated in this section may be outdated and inaccurate (i.e. determining if the receiving water is listed as impaired on the 303(d) list, the cause(s) of the impairment if impaired, the pollutant(s)). It is recommended that you consult with your state's guidance for discharges into impaired waters to determine whether the receiving water is listed as impaired and, if so, the correct causes for the impairment and pollutant(s), and update the information accordingly.

New Hampshire Impaired Waters (IW) information and required monitoring parameters available at:

https://www.des.nh.gov/water/rivers-and-lakes/water-quality-assessment/swqa-publications#faq38801 (https://www.des.nh.gov/water/rivers-and-lakes/water-quality-assessment/swqa-publications#faq38801)

https://www3.epa.gov/region1/npdes/stormwater/assets/pdfs/msgp-2021-part-425-parameters-nh.pdf (https://www3.epa.gov/region1/npdes/stormwater/assets/pdfs/msgp-2021-part-425-parameters-nh.pdf)

Where the New Hampshire monitoring guidance identifies one or more monitoring parameters that are different than the identified pollutant causing the impairment, indicate the monitoring parameter(s) as the pollutant(s) causing the impairment in the table below (select Yes for "Is the receiving water listed as impaired on the 303(d) list?" to display the pollutant table).

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? Yes

Cause of Impairment Group	Pollutant
METALS (OTHER THAN MERCURY)	Aluminum, total [as Al]
ORGANIC ENRICHMENT/OXYGEN DEPLETION	Oxygen, dissolved percent saturation
PATHOGENS	E. coli
PH/ACIDITY/CAUSTIC CONDITIONS	pH

Has a TMDL been completed for this receiving waterbody? Yes

TMDL ID	Cause of Impairment Group	Pollutant
33883	MERCURY	Mercury, total [as Hg]
39274	PATHOGENS	E. coli

SWPPP Information

Has the SWPPP been prepared in advance of filing this NOI, as required? Yes

SWPPP Contact Information:

First Name Middle Initial Last Name: Sabre Strout

Phone: 603-627-5150 Ext.: 318

Email: sstrout@nycoa.com

SWPPP Availability:

Your current SWPPP or certain information from your SWPPP must be made available through one of the following three options. Select one of the options and provide the required information.

Note: you are not required to post any confidential business information (CBI) or restricted information (as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)) (such information may be redacted), but you must clearly identify those portions of the SWPPP that are being withheld from public access.

☐ Option 1: Attach a current copy of your SWPPP to this NOI.

☐ Option 2: Maintain a Current Copy of your SWPPP on an Internet page (Universal Resource Locator or URL).

☒ Option 3: Provide the following information from your SWPPP:

A. Describe your onsite industrial activities exposed to stormwater and potential spill and leak areas.

e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams

Activities exposed to stormwater at the facility include: No. 2 fuel oil unloading areas; loading docks; electrical transformers; solid waste roll-off container and compactor; caprolactam and hexamethylenediamine unloading areas; caprolactam recovery tanks; portable collection system for tank cleaning; air emissions from facility processes; dowtherm heat transfer fluid collection containers; sloped and unpaved areas subject to erosion; paved roadways/access roads; and fire hydrant and irrigation system flushing.

B. List the pollutants(s) or pollutant constituent(s) associated with each industrial activity exposed to stormwater that could be discharged in stormwater and/or in any authorized non-stormwater discharges listed in Part 1.1.3.

Please refer to Table 1 Material Inventory (Potential Pollutants), as excerpted from the current NYCOA SWPPP.

C. Describe the control measures you will employ to comply with the non-numeric technology-based effluent limits required in Part 2.1.2 and Part 8, and any other measures taken to comply with the requirements in Part 2.2 Water Quality-Based Effluent Limitations (see Part 5.2.4).

Please refer to TABLE 2 Stormwater Controls and Best Management Practices, as excerpted from the current NYCOA SWPPP.

D. Provide a schedule for good housekeeping and maintenance (see Part 5.2.5.1) and a schedule for all inspections required in Part 4 (see Part 5.2.5.2).

Routine facility inspections are conducted quarterly. For most control measures, housekeeping and maintenance tasks are performed as needed based on facility inspections or as indicated on the attached table.

Endangered Species Protection Worksheet: Criterion C1

The following questions will help you determine your eligibility under Part 1.1.4 of the permit with respect to protection of Endangered Species Act (ESA) species and critical habitat(s). Please refer to Appendix E (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_e_-_procedures_relating_to_endangered_species_protection.pdf) of the 2021 MSGP for important information regarding your obligations under this permit concerning ESA-protected species and critical habitat(s).

Determine ESA Eligibility Criterion

Are your industrial activities already addressed in another operator's valid certification of eligibility for your "action area" under eligibility criteria A, C, D, or E of the 2021 MSGP? No

Are your industrial activities the subject of a permit under section 10 of the ESA by the USFWS and/or NMFS, and this authorization addresses the effects of your facility's discharges and discharge-related activities on ESA-listed species and critical habitat?

No

You must determine whether species listed as either threatened or endangered under the Endangered Species Act, and/or their critical habitat are located in your facility's action area. ESA-listed species and critical habitat are under the purview of the NMFS and the USFWS.

Determine Your Action Area

Your "action area" (as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)) includes all areas to be affected directly or indirectly by the action and not merely the immediate area involved in the action, including areas beyond the footprint of the facility that are likely to be affected by stormwater discharges, discharge-related activities, and authorized non-stormwater discharges. You must select and confirm that all the following are true:

➤ In determining my "action area", I have considered that discharges of pollutants into downstream areas can expand the action area well beyond the footprint of my facility and the discharge point(s). I have taken into account the controls I will be implementing to minimize pollutants and the receiving waterbody characteristics (e.g. perennial, intermittent, ephemeral) in determining the extent of physical, chemical, and/or biotic effects of the discharges. I confirm that all receiving waterbodies that could receive pollutants from my facility are included in my action area.

True

➤ In determining my "action area", I have considered that discharge-related activities must also be accounted for in determining my action area. I understand that discharge-related activities are any activities that cause, contribute to, or result in stormwater and authorized non-stormwater point source discharges, and measures such as the siting, construction, and operation of stormwater controls to control, reduce, or prevent pollutants from being discharged. I understand that any new or modified stormwater controls that will have noise or other similar effects, and any disturbances associated with construction of controls, are part of my action area.

True

Provide a written description of your action area and explain your rationale for the extent of the action area drawn on your map. [Click here for an example.](#)

The action area for the NYCOA's stormwater discharges extends downstream from the discharge point(s) in the Merrimack River. The downstream limit of the action area reflects the approximate distance at which the discharge and any pollutants would be expected to cause potential adverse effects to ESA-listed species and/or critical habitat because no species were listed for our action area.

Attach a map of the action area for your facility. Mapping tool IPaC (the Information, Planning, and Consultation System) located at <http://ecos.fws.gov/ipac/> (<https://ecos.fws.gov/ipac/>) or [click here \(/net-msgp/documents/action_area_example.pdf\)](#) for an example.

Name	Uploaded Date	Size
 IPaC_ Endangered Species.pdf (attachment/711834)	05/19/2021	317.58 KB

Determine if ESA-listed species and/or critical habitat are in your facility's action area.

ESA-listed species and critical habitat are under the purview of the NMFS and the USFWS, and in many cases, you will need to acquire species and critical habitat lists from both federal agencies.

National Marine Fisheries Service (NMFS)

To obtain NMFS-listed species and critical habitat information, use the resources listed below:

General Resources:

- NOAA Fisheries, Regions Page (<https://www.fisheries.noaa.gov/regions>) ⓘ

For the Northeastern U.S.:

- NOAA Fisheries Greater Atlantic Region ESA Section 7 Mapper (<https://noaa.maps.arcgis.com/apps/webappviewer/index.html?id=1bc332edc5204e03b250ac11f9914a27>)

For Puerto Rico:

- Acropora critical habitat map (<https://www.fisheries.noaa.gov/resource/map/acropora-elkhorn-and-staghorn-coral-critical-habitat-map-and-gis-data>)
- Green turtle critical habitat map (<https://www.fisheries.noaa.gov/resource/map/green-turtle-critical-habitat-map-and-gis-data>)
- Hawksbill Turtle critical habitat map (<https://www.fisheries.noaa.gov/resource/map/hawksbill-turtle-critical-habitat-map-and-gis-data>)

Western U.S.:

- West Coast Region Protected Resources App (<https://www.webapps.nwfsc.noaa.gov/portal/apps/webappviewer/index.html?id=7514c715b8594944a6e468dd25aaacc9>)

Pacific Islands:

- Contact the Pacific Islands Regional Office at (808) 725-5000 or pirohonolulu@noaa.gov (<mailto:pirohonolulu@noaa.gov>)

I have checked the webpages listed above and confirmed that: There are no NMFS-listed species and/or critical habitat in my action area.

U.S. Fish and Wildlife Service (USFWS)

- To obtain FWS-listed species and critical habitat information, use the resources listed below:
- IPaC (the Information, Planning, and Consultation System) (<https://ecos.fws.gov/ipac/>)
 - For instructions for using IPaC, [click here](#).

I have checked the webpages listed above and confirmed that: There are FWS-listed species and/or critical habitat in my action area.

For FWS species, include the full printout from your IPaC query/Official Species List.

Name	Uploaded Date	Size
 IPaC_ Endangered Species.pdf (attachment/711844)	05/19/2021	317.58 KB

You may be eligible under **Criterion C**. You must assess whether your discharges and discharge-related activities are likely to adversely affect ESA-listed species or critical habitat, and whether any additional measures are necessary to ensure no likely adverse effects. In order to make a determination of your facility's likelihood of adverse effects, you must complete the Criterion C Eligibility fields below.

Criterion C Eligibility

Select which applies:

Criterion C1: Facility eligible for Criterion C in the 2015 MSGP with no change to ESA-listed species, critical habitat, or action area.

Your facility was eligible for Criterion C in the 2015 MSGP and there has been no change in your facility's action area and you have confirmed that there are no additional ESA-listed species or critical habitat under the jurisdiction of USFWS and/or NMFS in your action area since your certification under Criterion C in the 2015 MSGP. You must provide a description of the basis of this criterion selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP.

Select which applies:

I am seeking coverage under the MSGP as an existing discharger and there are no modifications to my facility.

Provide a basis statement providing the USFWS and/or NMFS resources consulted that helped you determine that there are no additional ESA-listed species and/or critical habitat have been listed by under the jurisdiction of the Services in your action area.

Communication with U.S. Fish and Wildlife Service and review of the National Marine Fisheries Service (NMFS) Endangered Species maps to identify listed species.

Discharge-related activities will have no likely adverse effects on listed species and/or their designated critical habitat due, because discharge-related activities occur on previously cleared/developed areas of the site where maintenance and operation of the facility are currently occurring or where existing conditions of the area(s) in which the discharge-related activities will occur precludes its use by listed species, and if dischargereLATED activities will include the establishment of structures or any related disturbances, these structures and/or disturbances will be sited in areas that will not result in isolation or degradation of nesting, breeding, or foraging habitat or other habitat functions for listed animal species (or their designated critical habitat), and will avoid the destruction of native vegetation (including listed plant species).

If vegetation removal (e.g., brush clearing) or other similar activities will occur, no terrestrial listed species that use these areas for habitat would be expected to be present during vegetation removal.

Note: Any missing or incomplete information in this section may result in a delay of your coverage under the permit.

Historic Preservation: Criterion A

The following questions will help you determine your eligibility under Part 1.1.5 of the permit with respect to preservation of historic properties. You may still use the paper instructions in Appendix F (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_f_-_procedures_relating_to_historic_properties_preservation.pdf) of the MSGP in advance or in conjunction with answering the questions in this section of the form. For more information about your State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO), please visit the National Park Service (NPS) websites at:

- State Historic Preservation Office (SHPO) (<https://www.nps.gov/subjects/nationalregister/state-historic-preservation-offices.htm>)
- Tribal Historic Preservation Office (THPO) (https://www.nps.gov/history/tribes/Tribal_Historic_Preservation_Officers_Program.htm)

Are you an existing facility that is resubmitting for certification under the 2021 MSGP? Yes

➤ If you are an existing facility you should have already addressed National Historic Preservation Act (NHPA) issues. To gain coverage under the 2015 MSGP, you were required to certify that you were either not affecting historic properties or had obtained written agreement from the relevant SHPO or THPO regarding methods of mitigating potential impacts.

Will you be constructing or installing any new stormwater control measures? No

You are eligible under **Criterion A**.

Additional Supporting Information

Use this section to provide additional information you feel is pertinent to your coverage or to provide information in a Change NOI for a numeric effluent limitation exceedence as required in part 4.2.3.3. of the permit.

Do you have supporting information you would like to add? [No](#)

Certification Information

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. Signing an electronic document on behalf of another person is subject to criminal, civil, administrative, or other lawful action.

Certified By: James E. Bizarro

Certifier Title:

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Certified On: 05/27/2021 8:30 AM ET